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## COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

DEPARTMENT OF COMMERCE

Patent and Trademark Office

ATTORNEY DOCKET NO.: 044921-5029-US

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### IDENTIFYING DRUGS FOR AND DIAGNOSIS OF BENIGN PROSTATIC HYPERPLASIA USING GENE EXPRESSION PROFILES

The specification of which:

is attached hereto; or

was filed as United States application Serial No. 09/873,319 on June 5, 2001 and was amended on \_\_\_\_\_ (if applicable); or

was filed as PCT international application Number \_\_\_\_\_ on \_\_\_\_\_ and was amended under PCT Article 19  
On \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office information which is material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate or Section 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign applications(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

#### PRIOR FOREIGN APPLICATION(S):

COUNTRY (if PCT, indicate PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

Combined Declaration for Patent Application and Power of Attorney - (Continued)  
ATTORNEY DOCKET NO.: 044921-5029-US

I hereby claim the benefits under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below.

**U.S. PROVISIONAL APPLICATIONS**

<b>U.S. PROVISIONAL APPLICATION NO.</b>	<b>U.S. FILING DATE:</b>
60/223,323	August 7, 2000

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or Section 365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT:**

<b>U.S. OR PCT INTERNATIONAL APPLICATIONS</b>		<b>STATUS (Check One)</b>		
<b>APPLICATION NO.</b>	<b>FILING DATE</b>	<b>PATENTED</b>	<b>PENDING</b>	<b>ABANDONED</b>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number.

Customer Number: **09629**

Direct Telephone Calls To:

**Michael S. Tuscan  
202-467-7870**

Combined Declaration for Patent Application and Power of Attorney - (Continued)  
ATTORNEY DOCKET NO.: 044921-5029-US

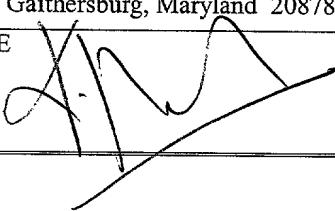
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF SOLE OR FIRST INVENTOR		William E. MUNGER	
RESIDENCE & CITIZENSHIP		190 Boxbom Rd STOW, MA 01775	
COUNTRY OF CITIZENSHIP		United States	
POST OFFICE ADDRESS		(Same as above)	
FIRST OR SOLE INVENTOR'S SIGNATURE		DATE 11/29/01	
FULL NAME OF SECOND INVENTOR		Prakash KULKARNI	
RESIDENCE & CITIZENSHIP		Gaithersburg, Maryland	
COUNTRY OF CITIZENSHIP		United States	
POST OFFICE ADDRESS		708 Quince Orchard Road Gaithersburg, Maryland 20878	
SECOND INVENTOR'S SIGNATURE		DATE	
FULL NAME OF THIRD INVENTOR		Robert H. GETZENBERG	
RESIDENCE & CITIZENSHIP		United States	
COUNTRY OF CITIZENSHIP			
POST OFFICE ADDRESS		(Same as above)	
THIRD INVENTOR'S SIGNATURE		DATE	

Listing of Inventors Continued on attached page(s):  Yes  No

Combined Declaration for Patent Application and Power of Attorney - (Continued)  
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FULL NAME OF SOLE OR FIRST INVENTOR	William E. MUNGER	
RESIDENCE & CITIZENSHIP		COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	(Same as above)	
FIRST OR SOLE INVENTOR'S SIGNATURE	DATE	
FULL NAME OF SECOND INVENTOR	Prakash KULKARNI	
RESIDENCE & CITIZENSHIP	Gaithersburg, Maryland	COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	708 Quince Orchard Road Gaithersburg, Maryland 20878	
SECOND INVENTOR'S SIGNATURE	DATE  10/25/01	
FULL NAME OF THIRD INVENTOR	Robert H. GETZENBERG	
RESIDENCE & CITIZENSHIP		COUNTRY OF CITIZENSHIP United States
POST OFFICE ADDRESS	(Same as above)	
THIRD INVENTOR'S SIGNATURE	DATE	

Listing of Inventors Continued on attached page(s):  Yes  No

Combined Declaration for Patent Application and Power of Attorney - (Continued)  
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FULL NAME OF SOLE OR FIRST INVENTOR		William E. MUNGER	
RESIDENCE & CITIZENSHIP		COUNTRY OF CITIZENSHIP United States	
POST OFFICE ADDRESS		(Same as above)	
FIRST OR SOLE INVENTOR'S SIGNATURE		DATE	
FULL NAME OF SECOND INVENTOR		Prakash KULKARNI	
RESIDENCE & CITIZENSHIP		COUNTRY OF CITIZENSHIP United States	
POST OFFICE ADDRESS		708 Quince Orchard Road Gaithersburg, Maryland 20878	
SECOND INVENTOR'S SIGNATURE		DATE	
FULL NAME OF THIRD INVENTOR		Robert H. GETZENBERG	
RESIDENCE & CITIZENSHIP		COUNTRY OF CITIZENSHIP United States	
POST OFFICE ADDRESS		(Same as above) 1627 ALVYTA DR., PITTSBURGH, PA 15217	
THIRD INVENTOR'S SIGNATURE		DATE November 16, 2001	

Listing of Inventors Continued on attached page(s):  Yes  No

Combined Declaration for Patent Application and Power of Attorney - (Continued)  
ATTORNEY DOCKET NO.: 044921-5029-US

FULL NAME OF FOURTH INVENTOR	Iwao WAGA	
RESIDENCE & CITIZENSHIP	Yokohama-shi, Kanagawa, Japan	COUNTRY OF CITIZENSHIP Japan
POST OFFICE ADDRESS	Pharmaceutical Frontier Research Laboratories of Japan Tobacco, Inc., 1-13-2 Fukuura, Kanazawa-ku, Yokohama-shi, Kanagawa 236-0004 Japan	
FOURTH INVENTOR'S SIGNATURE	DATE <i>Iwao Waga</i>	
FULL NAME OF FIFTH INVENTOR	Jun YAMAMOTO	
RESIDENCE & CITIZENSHIP	Yokohama-shi, Kanagawa, Japan	COUNTRY OF CITIZENSHIP Japan
POST OFFICE ADDRESS	Pharmaceutical Frontier Research Laboratories of Japan Tobacco, Inc., 1-13-2 Fukuura, Kanazawa-ku, Yokohama-shi, Kanagawa 236-0004 Japan	
FIFTH INVENTOR'S SIGNATURE	DATE <i>Jun Yamamoto</i>	